IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7254 of 1999

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SUNDARBEN SAMPATBHAI PAWAR

Versus

STATE OF GUJARAT THROUGH THE SECRETARY,

Appearance:

GIRISH PATEL ASSOC for Petitioner

MR UDAY R. BHATT for respondent Nos.1, 2 & 7

RULE SERVED for Respondent No. 4, 5, 6,

MR JB PARDIWALA for Respondent No. 3

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 28/03/2001

ORAL JUDGEMENT

1. On a joint request of learned counsel for the respective parties this matter is taken up for final hearing today.

2. Heard the learned counsel for the respective

parties. As a result of the hearing and discussion, a consensus has been arrived at between the learned counsel, on the basis of which it is directed that the Sessions Court viz. Sessions Judge,Valsad at Navsari shall expedite the hearing of Sessions Case No.36/99, in respect of which directions have already been issued. The same shall be disposed of as expeditiously as possible.

3. It merely requires to be pointed out that in case the Sessions Court records the conviction against the accused, and finds that the accused are guilty of causing death of the husband of the petitioner in any manner whatsoever, it shall be open to the Sessions Court to award compensation to the present petitioner, by resorting to powers available to the court under section 357 of the Criminal Procedure Code, as may be justified on the facts and circumstances of the case.

4. In view of the above observations and directions, learned counsel for the petitioner does not press the present petition. This petition is accordingly disposed of. Rule is discharged with no order as to costs.

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